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LERNER, DAVID, LITTENBERG, KRUMHOLZ & MENTLIK, LLP  
600 South Avenue West  
Westfield, NJ 07090

In re Application of :  
MUGNIER *et al* :  
U.S. Application No.: 10/511,565 :  
PCT No.: PCT/FR03/01197 :  
Int. Filing Date: 15 April 2003 :  
Priority Date: 17 April 2002 :  
Attorney Docket No.: REGIM 3.3-040 :  
For: METHOD FOR PRODUCTION OF A :  
TUNABLE OPTICAL FILTER :

## DECISION

This is decision on the papers filed 05 May 2006 and 14 June 2006 which are treated as a renewed petition under 37 CFR 1.47(a).

### BACKGROUND

On 14 March 2006, a decision dismissing applicants' renewed petition under 37 CFR 1.47(a) was mailed. Applicants failed to satisfy all the elements required for a grantable petition. Applicants were given two-months to respond.

On 05 May 2006, applicants filed the subject response which was accompanied by an executed declaration signed by the nonsigning inventor. The two page declaration listed only two inventors in the subject application.

On 14 June 2006, applicants resubmitted a copy of the original declaration consisting of three pages and listing four inventors originally filed 23 September 2005 along with a copy of the two page declaration executed by the nonsigning inventor originally submitted 05 May 2006.

### DISCUSSION

Applicants previously submitted a declaration signed by three of the four named inventors in compliance with 37 CFR 1.497(a) and (b).

In the response filed 05 May 2006, applicants provided a declaration signed by the nonsigning inventor, Rachelle Leroux. However, the declaration submitted was not in compliance with 37 CFR 1.497(a) and (b) as it fails to identify all four inventors. The declaration provided consists of only two pages. It appears that the third page of the declaration was not forwarded.

The two-page declaration was resubmitted on 14 June 2004. However, this declaration is also not in compliance with 37 CFR 1.497(a) and (b).

### **CONCLUSION**

For the reason discussed above, applicants' petition under 37 CFR 1.47(a) is **DISMISSED** without prejudice.

If reconsideration on the merits of this petition is desired, a proper response must be filed within **TWO (2) MONTHS** from the mail date of this decision. No additional petition fee is required.

Any further correspondence with respect to this matter deposited with the United States Postal Service should be addressed to the Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

  
James Thomson

Attorney Advisor  
Office of PCT Legal Administration

Tel.: (571) 272-3302